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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,555	07/24/2003	Se-Hun Lee	1594.1246	8100

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EXAMINER

LEUNG, PHILIP H

ART UNIT	PAPER NUMBER
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3742

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/625,555	Applicant(s) LEE, SE-HUN	
	Examiner Philip H Leung	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-10,14-16 and 19-23 is/are rejected.
- 7) ☒ Claim(s) 3-5,11-13,17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7-24-04 &amp; 7-22-04</u> . | 6) <input type="checkbox"/> Other: ____  |

### DETAILED ACTION

1. The drawings filed 7-24-2003 are acceptable.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 6-10, 14-16 and 19-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Jang (KR 1020020033857) (cited by the applicant).

Jang shows a wall-mounted type microwave oven secured to an installation base 200 and, comprising an outer cabinet defining an outer appearance of the wall-mounted type microwave oven; an inner cabinet disposed in the outer cabinet with a predetermined spacing therebetween, and including a cooking chamber to cook foods therein and an electric component compartment 10 to receive electric components, the cooking chamber and the electric component compartment being isolated from each other; a hanger member 30 extending from the inner cabinet to allow the inner cabinet to be secured to the installation base; and a fastening device 53, 31 to secure the hanger member to the installation base (see the Figure and the English abstract). In regard to claims 14 and 19, Jang also shows a partition plate which extends with the hanger 30 as an integral reinforcing unit. In regard to claim 16, the hanger brackets 46 supports the grille member 38 for guiding air flow.

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4. Claims 1, 6-9, 14-16 and 21-23 are further rejected under 35 U.S.C. 102(b) as being anticipated by Kim (US 6,369,372).

Kim shows a wall-mounted type microwave oven secured to an installation base 14 and, comprising an outer cabinet 34 defining an outer appearance of the wall-mounted type microwave oven; an inner cabinet 32 disposed in the outer cabinet with a predetermined spacing therebetween, and including a cooking chamber 20 to cook foods therein and an electric component compartment 26 to receive electric components, the cooking chamber and the electric component compartment being isolated from each other; a hanger member 46 extending from the inner cabinet to allow the inner cabinet to be secured to the installation base; and a fastening device 54, 55 to secure the hanger member to the installation base (see Figures 1-4 and col. 2, line 43 - col. 4, line 27). In regard to claim 14, Kim also shows a partition plate below the hanger brackets 46 as shown in Figure 4. In regard to claim 16, the hanger brackets 46 supports the grille member 38 for guiding air flow.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 2, 10, 19 and 20 are further rejected under 35 U.S.C. 103(a) as being obvious over Kim (US 6,369,372), in view of White et al (US 4,313,043).

As set forth above, Kim shows every claimed feature except for the use of screws for mounting the hanger brackets 46 instead of nuts and bolts as claimed. White shows a mounting assembly for installing a wall type microwave oven using bolts with nuts 30 or screws 24 as the fastening tools (see Figures 1-4 and col. 1, lines 54-57). It would have been obvious to an ordinary skill in the art at the time of invention to modify Kim to choose any well known fastening tools including nuts and bolts and screws for better and easy installation, in view of the teaching of White. In regard to claims 19, to use an integral or separate hanger bracket would have been a matter of engineering design variation depending on the manufacturing process.

7. Claims 3-5, 11-13, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

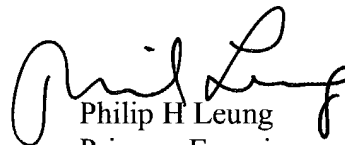
Leeds (US 5,286,940) and Baca (US 5,967,634) are further cited to show support assembly for built-in ovens with various claimed features.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip H Leung whose telephone number is (703) 308-1710.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (703) 305-5766. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Philip H Leung  
Primary Examiner  
Art Unit 3742

P.Leung/pl  
9-30-2004